

UNITED STATES DISTRICT COURT
Eastern District of Washington

NEWMONT USA LIMITED and DAWN MINING
CO.,

Plaintiffs,

v.

ALLSTATE INSURANCE CO., et al.,

Defendants.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-09-033-JLQ

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED the claims asserted in the First Amended Complaint (ECF No. 241) against Allstate Insurance Company are dismissed with prejudice and without the award of costs or attorney fees to any party to the stipulation. The moving Defendant remains a party to this litigation as a cross-claimant or cross-defendant.

May 23, 2011

Date

JAMES R. LARSEN

Clerk

s/ Cheryl Switzer

(By) Deputy Clerk

Cheryl Switzer